

NOTICE OF OBJECTION TO CONFIRMATION

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC	ALBERT RUSSO, Trustee
400 Fellowship Road, Suite 100	CN 4853, SUITE 101
Mt. Laurel, NJ 08054	TRENTON, NJ 08650

2. Attend the hearing scheduled to be held on 07/25/2017 in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: July 20, 2017

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 42689

Fax: 856-813-5501

Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

**File No. 793741**

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

In Re:

LUZ ADRIANA ALVAREZ

Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 17-19450 - MBK

Hearing Date: 07/25/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, the holder of a Mortgage on debtor residence located at 18 GARDEN HILLS DRIVE, SOMERSET, NJ 08873 hereby objects to the Confirmation of the debtor proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is in the process of drafting and filing a Proof of Claim. The approximate arrears are \$1,218.45.
2. Debtors' Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
3. Debtors' Plan currently provides for payment to Secured Creditor in the amount of \$0.00.
4. Secured Creditor objects to Debtors' Plan as it is underfunded. Debtors' Plan should be amended to fully fund the arrears owed to Secured Creditor. Absent a modification by the Debtor, confirmation of Debtors' proposed Plan should be denied.
5. Additionally, Debtor's Plan fails to provide for the full monthly post-petition payment owed to Secured Creditor under the terms of the Note and Mortgage. Secured Creditor objects to any post-petition payment amount less than the full amount required. Accordingly, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION respectfully requests that the Confirmation of Debtor Plan be denied.

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

Dated: July 20, 2017

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

793741  
PHELAN HALLINAN DIAMOND & JONES, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
856-813-5500  
Attorneys for JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION

In Re:

LUZ ADRIANA ALVAREZ

Case No: 17-19450 - MBK

Hearing Date: \_\_\_\_\_

Judge: MICHAEL B KAPLAN

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, Kimberly Wilson:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents JPMORGAN CHASE BANK, NATIONAL ASSOCIATION in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On July 20, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: July 20, 2017

/s/ Kimberly Wilson  
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
LUZ ADRIANA ALVAREZ 18 GARDEN HILLS DRIVE, SOMERSET, NJ 08873	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ARTHUR L. SKAAR, JR., Esquire 425 AMWELL ROAD STE 4 PO BOX 5878 HILLSBOROUGH, NJ 08844	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ALBERT RUSSO, Trustee CN 4853 TRENTON, NJ 08650	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.